



Pillsbury Winthrop Shaw Pittman LLP  
31 West 52nd Street | New York, NY 10019-6131 | tel 212.858.1000 | fax 212.858.1500

Andrew C. Smith  
tel: 212.858.1743  
andrew.smith@pillsburylaw.com

April 3, 2024

**VIA ECF**

The Honorable Katherine Polk Failla  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 2103  
New York, NY 10007

**MEMO ENDORSED**

Re: *Huzhou Chuangtai Rongyuan Inv. Mgmt. Partnership et al. v. Qin et al.*,  
Index No. 1:24-cv-02219-KPF (S.D.N.Y.)

Dear Judge Failla:

We write on behalf of Plaintiffs in the above-referenced matter in response to Defendant Emma Duo Liu (“Ms. Liu”)’s request (ECF No. 17) for an adjournment of the April 19, 2024 hearing on Plaintiff’s Preliminary Injunction Motion (ECF No. 14).

Ms. Liu’s counsel reached out to us on Monday to request an adjournment of the hearing to April 22 or 23, citing an undisclosed previous engagement in Boston (which we now know is a recruiting event at Harvard). I responded that I was travelling but Plaintiffs would be willing to consider the adjournment provided that Ms. Liu agreed not to dispose of assets between now and the hearing and offered to have a call today to discuss Ms. Liu’s request. Ms. Liu’s counsel refused and filed their request for an adjournment. *See* Attachment A.

Plaintiffs submit that a recruiting event is not sufficient grounds to postpone the Preliminary Injunction hearing, which has been ordered on an expedited basis. Furthermore, Mr. Younger’s colleague, Paul Downs, has appeared in this matter on behalf of Ms. Liu and could attend the hearing if Mr. Younger attends the recruiting event. Indeed, Mr. Downs has filed the last 16 submissions on behalf of Ms. Liu in the Related Case, including her motion to quash the East West Bank subpoena, her letter motion seeking leave to file motions to stay and for cost-shifting, her letter to the court opposing the proposed abstract of judgment, and other submissions. *See* ECF Nos. 367-371, 382-383, 386, 388-389, 392-395, 397, 398, 407. (Mr. Younger has not submitted anything in the Related Case since January 22, 2024. ECF No. 362.)

As the Court knows, Plaintiffs sought and received an order directing expedited discovery in aid of enforcement of the underlying Judgment on November 1, 2022 in the Related Case. ECF No. 64. Since then, Plaintiffs’ efforts have been thwarted by Defendant Hui Qin and Ms. Liu, from

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whom they have been seeking discovery since June 9, 2023, much of which is still outstanding. Indeed, based primarily on Ms. Liu's counsel's representations regarding their review efforts, Ms. Liu received multiple extensions of time to produce documents ordered produced in October 2023. Then, on the eve of the March 25, 2024 deadline they procured a further stay.

Post-judgment discovery that Plaintiffs *have* been able to obtain, as detailed in the complaint in this action, demonstrates a serious risk that assets will be dissipated and transferred out of this Court's jurisdiction absent an injunction. Ms. Liu's counsel's blanket refusal to entertain any type of limitation on Ms. Liu from further disposing of assets pending the hearing on Plaintiffs' motion only elevates this concern.

Accordingly, Plaintiffs respectfully request that the Court deny Ms. Liu's request to adjourn the hearing on Plaintiffs' Preliminary Injunction Motion or, alternatively, condition any adjournment on a representation that she will not dispose of or transfer any assets between now and any adjourned hearing date.

Respectfully submitted,

/s/ Andrew C. Smith  
Andrew C. Smith

cc: All counsel of record (via ECF)

The Court is in receipt of Defendant Emma Duo Liu's request (Dkt. #17) for an adjournment of the April 19, 2024 hearing on Plaintiffs' Preliminary Injunction Motion (Dkt. #14), as well as Plaintiffs' above response (Dkt. #20).

The Court hereby GRANTS Defendant's request. The April 19, 2024 hearing is hereby ADJOURNED to **April 23, 2024**, at **11:00 a.m.** The Court declines to condition such adjournment on Defendant's representation that she will not dispose of or transfer any assets between now and the adjourned hearing date.

The Clerk of Court is directed to terminate the pending motion at docket entry 17.

Dated: April 4, 2024  
New York, New York

SO ORDERED.

